

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

UNITED STATES OF AMERICA

v.

PEDRO ALVARADO
ARNOLDO ALVARADO

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Criminal No. M-12-1136-S3

**MOTION REQUESTING ORDER COMPELLING TESTIMONY
(TITLE 18, UNITED STATES CODE, SECTIONS 6001, et. seq.)**

Now comes the United States of America, by and through KENNETH MAGIDSON, its United States Attorney for the Southern District of Texas, and Anibal J. Alaniz, Assistant United States Attorney, and moves this Court to issue an Order pursuant to the provisions of Title 18, United States Code, Section 6001, et seq., compelling Marques Alvarado to give testimony or provide other information, which he refuses to give or provide on the basis of his 5th Amendment privilege against self-incrimination, as to all matters about which he may be interrogated in the trial of the above-referenced matter.

1. Marquez Alvarado (hereinafter “Alvarado”) is charged by the State of Texas with attempted murder arising out of the same incident that lead to the charges in this case. Although initially charged as a juvenile, he was certified to stand trial as an adult.

3. Alvarado has been served with a subpoena to appear before this Court to give testimony in the trial of this case.

3. In the judgment of the undersigned, the testimony of Alvarado may be necessary to the public interest.

4. It is anticipated that Alvarado will likely refuse to testify or provide other information on the basis of his 5th Amendment privilege against self-incrimination.

5. This application is made with the approval of Deputy Assistant Attorney General Paul M. O'Brien, Criminal Division, U.S. Department of Justice, pursuant to the authority vested in him by 18 U.S.C. § 6003(b) and 28 C.F.R. 0.175(a). A copy of the authorization from said Deputy Assistant Attorney General is attached hereto as Exhibit "A".

Respectfully submitted,

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United States Attorney

/s/ **Anibal J. Alaniz**

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